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11 Attorneys for Plaintiff and
 12 Counterclaim-Defendant APPLE INC

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

17 APPLE INC., a California corporation,
 18 Plaintiff,
 19 v.
 20 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 21 ELECTRONICS AMERICA, INC., a New York
 corporation; SAMSUNG
 22 TELECOMMUNICATIONS AMERICA, LLC, a
 Delaware limited liability company,
 23 Defendants.
 24

Case No. 11-cv-01846-LHK

**DECLARATION OF JASON R.
 BARTLETT IN SUPPORT OF
 APPLE'S MOTION TO SEAL
 PREVIOUSLY FILED MOTIONS
 AND EXHIBITS**

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1 I, JASON R. BARTLETT, declare as follows:

2 1. I am a partner in the law firm of Morrison & Foerster LLP, counsel for Apple Inc.
3 (“Apple”). I am licensed to practice law in the State of California and admitted to practice
4 before this Court. I have personal knowledge of the matters stated herein or understand them to
5 be true from members of my litigation team. I make this declaration in support of Apple’s
6 Motion to Seal Previously Filed Motions and Exhibits.

7 2. The following documents consist of the Expert Report of Terry L. Musika or
8 portions thereof:

- 9 • Exhibit A to the Declaration of Terry Musika in Support of Apple’s Opposition
10 to Samsung’s Daubert Motion
- 11 • Exhibit 3 to the Declaration of Joby Martin in Support of Samsung’s Daubert
12 Motion
- 13 • Exhibit Q to the Declaration of Mia Mazza in Support of Apple’s Opposition
14 to Samsung’s Daubert Motion
- 15 • Exhibit 6 to the Declaration of Joby Martin in Support of Samsung’s Daubert
16 Motion

17 This report and exhibits contain highly sensitive financial data, capacity data, and third-party
18 consumer research as described in detail in the Declaration of Jim Bean in Support of Motion to
19 Seal Previously Filed Motions (“Bean Declaration”) filed herewith and the Declaration of
20 Nathan Sabri in Support of Apple’s Corrected Renewed Motion to Seal (Dkt. No. 1408-2) (“Sabri
21 Declaration”). Proposed redacted versions are attached in highlighted form as **Exhibits 1, 2, 3,**
22 **and 4**, respectively.

23 3. The following exhibits consist of the Supplemental Expert Report of Terry Musika
24 or portions thereof:

- 25 • Exhibit B to the Declaration of Terry Musika in Support of Apple’s Opposition
26 to Samsung’s Daubert Motion
- 27 • Exhibit 1 to the Declaration of Joby Martin in Support of Samsung’s Daubert
28 Motion

- 1 • Exhibit C to the Declaration of Terry Musika in Support of Apple’s Opposition
- 2 to Samsung’s Motion for Summary Judgment
- 3 • Exhibit E to the Declaration of Terry Musika in Support of Apple’s Opposition
- 4 to Samsung’s Motion for Summary Judgment
- 5 • Exhibit K to the Declaration of Terry Musika in Support of Apple’s Opposition
- 6 to Samsung’s Daubert Motion
- 7 • Exhibit Y to the Declaration of Terry Musika in Support of Apple’s Opposition
- 8 to Samsung’s Daubert Motion
- 9 • Exhibit 10 to the Declaration of Joby Martin in Support of Samsung’s Daubert
- 10 Motion
- 11 • Exhibit Z to the Declaration of Terry Musika in Support of Apple’s Opposition
- 12 to Samsung’s Daubert Motion
- 13 • Exhibit 7 to the Declaration of Joby Martin in Support of Samsung’s Daubert
- 14 Motion

15 This report and exhibits also contain highly sensitive financial data, capacity data, and third-party
16 consumer research as described in detail in the Bean Declaration and Sabri Declaration. Proposed
17 redacted versions are attached in highlighted form as **Exhibits 5 through 13**, respectively.

18 4. Samsung’s Reply in Support of Motion to Strike and the Declaration of
19 Michael Wagner in Support thereof include specific terms of licenses, settlements, and
20 acquisitions, as discussed in detail in the Bean Declaration. A proposed redacted version of this
21 reply and supporting declaration is attached in highlighted form as **Exhibit 14**.

22 5. Exhibit B to the Declaration of Michael Wagner in Support of Samsung’s Reply in
23 Support of Motion to Strike consists of the Corrected Expert Report of Michael J. Wagner
24 (Vol. 1). This report contains product profit margin information and specific details of an
25 acquisition as discussed in detail in the Bean Declaration. A proposed redacted version of this
26 exhibit is attached in highlighted form as **Exhibit 15**.

27 6. Exhibit AA to the Declaration of Terry Musika in Support of Apple’s Opposition
28 to Samsung’s Daubert Motion includes product profit margin information as discussed in detail

1 in the Bean Declaration. A proposed redacted version of this exhibit is attached in highlighted
2 form as **Exhibit 16**.

3 7. Exhibit P1 to the Declaration of David Hecht in Support of Samsung's Opposition
4 to Apple's Motion for Partial Summary Judgment is an excerpt from the deposition of
5 Boris Teksler. It contains confidential information related to Apple's license agreements with
6 third parties as described in detail in the Bean Declaration. A proposed redacted version of this
7 exhibit is attached in highlighted form as **Exhibit 17**.

8 8. Exhibit 32 to the Martin Declaration in Support of Samsung's Daubert Motion is
9 the Expert Report of Richard L. Donaldson, Esq. Pages 23-29 contain highly sensitive and
10 confidential Apple and third party information about Apple's current and past licenses as
11 described in detail in the Bean Declaration. A proposed redacted version of this exhibit is
12 attached in highlighted form as **Exhibit 18**.

13 9. Exhibit 67 to the Declaration of Brett Arnold in Support of Samsung's Motion for
14 Summary Judgment is Apple Inc.'s Objections and Responses to Samsung's Fourth Set of
15 Interrogatories. It contains highly sensitive and confidential Apple and third party information
16 about Apple's current and past licenses as described in detail in the Bean Declaration. A
17 proposed redacted version of this exhibit is attached in highlighted form as **Exhibit 19**.

18 10. Exhibit A to the Declaration of Janusz A. Ordover in Support of Apple's
19 Opposition to Samsung's Motion for Summary Judgment is the Expert Report of Dr. Janusz A.
20 Ordover. Footnote 161 contains confidential information regarding Apple's licenses as
21 described in the Bean Declaration. A proposed redacted version of this exhibit is attached in
22 highlighted form as **Exhibit 20**.

23 11. Exhibit C to the Declaration of Michael Wagner in Support of Samsung's Reply in
24 Support of Motion to Strike is a true and correct copy of a summary of Apple's Licenses and
25 Agreements. It contains highly sensitive and confidential Apple and third party information
26 about Apple's current and past licenses as described in the Bean Declaration. A proposed
27 redacted version of this exhibit is attached in highlighted form as **Exhibit 21**.

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ATTESTATION

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Jason R. Bartlett has concurred in this filing.

Dated: July 30, 2012

/s/ Michael A. Jacobs
Michael A. Jacobs